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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,359	03/31/2004	Karl Pfleger	0026-0070	5012

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EXAMINER	
BELL, CORY C	

ART UNIT	PAPER NUMBER
2164	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/813,359	PFLEGER, KARL	
	Examiner	Art Unit	
	Cory C. Bell	2164	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *1* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *5/22/2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,2,7-9,11-13,38 and 42-51* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1,2,7-9,11-13,38 and 42-51* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-2 , 11-13, 38 42-44, and 48-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman (US 6006225) in view of Search Engine Showdown, Google News Loses Functionality, published March 25, 2003 and US 6151624 ("Teare") patented Nov. 21, 2000.

1. Claim 1

As per claim 1 Bowman teaches: receiving a search query;(Bowman Col 3 lines 5-9)

determining whether the received search query includes an entity name; (Bowman col 6 lines 59-64)

determining whether to rewrite the received search query based on information relating to prior searches involving the entity name;(Bowman Col 6 line 59- col 7 line 34)

rewriting the received search query when it is determined that the received search query should be rewritten based on the information relating to the prior searches(Bowman Col 6 line 59- col 7 line 34);

performing a search based on one of the received search query and the rewritten search query to obtain search results; (Bowman Figure 9)

and presenting the search results. (Bowman Figure)

Bowman teaches the step of "performing a search based on one of the received search query and the rewritten search query to obtain search results; (Bowman Figure 9)," by providing hyperlinks to the rewritten search queries, in contrast the claimed invention performs this step automatically. However, MPEP 2144.04 states , if the facts in a prior legal decision are sufficiently similar to those in an application under examination, the examiner may use the rationale used by the court.

In re Venner, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) (Appellant argued that claims to a permanent mold casting apparatus for molding trunk pistons were allowable over the prior art because the claimed invention combined "old permanent-mold structures together with a timer and solenoid which automatically actuates the known pressure valve system to release the inner core after a predetermined time has elapsed." The court held that broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art.).

Bowman also fails to expressly disclose the rewrite including a restrict identifier associated with an entity. Search Engine Showdown teaches restricting searches to a domain or site of a news source using a restrict identifier, and Teare Col 21 lines 39-67 teach resolving a entity name to a corresponding URL based on statistics from prior queries. Thus, it would have been obvious to

one of ordinary skill in the art at the time of the invention to include these features to allow the user to narrow the search results and to aid in providing the desired web page. This also provides the predictable results wherein a query is restricted to a domain and the domain is resolved from an entity name based on prior quries.

2. Claim 2

   As per claim 2 Bowman teaches the limitations as follows: providing a link to the received search query when the search is performed based on the rewritten search query with the search results. (Figure 9 "Back" (being in the same browser window is with the search results is with the search results using the broadest reasonable interpretation)

3. Claim 11

   Bowman teaches the limitations of claim 11 as follows: the performing a search based on one of the received search query and the rewritten search query comprises: searching a repository of documents using the rewritten search query when the received search query is rewritten.(Bowman Col 5 lines 11-25 and Col 1 lines 44-46)

4. Claim 12: See Claim 1 rejection.

5. Claim 13: See Claim 1 rejection.

6. Claim 38: See Claim 1 rejection.
7. Claim 42: See Claim 1(Tear e col 7 teaches searching for a store name and mapping it to the appropriate domain)
8. Claim 43: See Claim 1 rejection, Search engine showdown shows that it is desirable to restrict to a domain for a given source name.
9. Claim 44: See Claim 2 rejection.
10. Claim 48: See Claim 1 rejecion.
11. Claim 49: See Claim 1 rejection (Bowman Col 4 lines 36-44, teaches the search being for documents)
12. Claim 50: See Claim 43.
13. Claim 51: See Claim 44.

Claims 7-9 and 45-47 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman in view of Search Engine Showdown, Google News Loses Functionality, published March 25, 2003 and US 6151624 ("Teare") patented Nov. 21, 2000 in further view of Korda(US 6564210).

14. Claims 7 and 45

    Bowman fails to expressly disclose the limitations of claim 7. However, these limitations would have been obvious to one of ordinary skill in the art in view Korda. First applicant claims "identifying entity identifiers associated with documents that were selected in connection with the prior searches involving the entity name" Col 8 lines 44-59 of Korda

teaches storing data on documents selected by a user after a search, this data including the URL of the document which is an entity identifier as well as the topic which is also an entity identifier, Bowman teaches the search including or being an entity name.

determining a total number of selections for each of the identified entity identifiers, (Korda Col 9 lines 14-19 and Col 9 lines 20-25)

and determining that the received search query should be rewritten when an entity identifier associated with the entity name receives a total number of selections greater than other ones of the identified entity identifiers. (Korda Col 9 lines 14-25 teaches using the identifiers to narrow the search results, and Bowman col 6 lines 32-49 teaches making restrictions based on frequency)

Thus the limitations would have been obvious to one of ordinary skill in the art at the time of the invention as one would have been motivated to provide these features to increase the productivity of the user (Korda col 2 lines 8-14)

15. Claims 8 and 46

Bowman fails to expressly disclose using a threshold to determine when to perform a rewrite. However the limitation of claim 8 would have been obvious in view of Korda as follows

determining whether the total number of selections for the entity identifier associated with the entity name is greater than a threshold,(Korda Col 9 lines 14-19)

and determining that the received search query should not be rewritten when the total number of selections for the entity identifier associated with the entity name is not greater

than the threshold. (Korda teaches not further restricting the results until the threshold is met in Col 9 lines 14-19)

Thus the limitations would have been obvious to one of ordinary skill in the art at the time of the invention as one would have been motivated to provide these features to increase the productivity of the user (Korda col 2 lines 8-14)

16. Claim 9 and 47

identifying entity identifiers associated with documents that were selected in connection with the prior searches involving the entity name, (See Claims 7 and 8 rejections) determining a distribution of a total number of selections for each of the identified entity identifiers, and determining that the received search query should be rewritten when the distribution indicates that the total number of selections for an entity identifier associated with the entity name is peaked compared to the total number of selections for a subset of other ones of the identified entity identifiers. (These limitations would have been obvious as Korda teaches counting the number of selections as shown above and Bowman teaches making the selection of further restriction based on frequency and ordered based on frequency in col 6 lines 32-49)

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cory C. Bell whose telephone number is (571) 272 2736. The examiner can normally be reached on m-f 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Rones can be reached on (571) 272 4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sam Rimell/

Primary Examiner, Art Unit 2164